

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**In Re Plum Baby Food Litigation,**

**Case No. 4:21-cv-913-YGR**

This document relates to: All Actions.

**SARAH BROWN, on behalf of herself and all  
others similarly situated,**

**Case 3:21-cv-04953-YGR**

**Plaintiff,**

**v.**

**STIPULATION AND [PROPOSED]  
ORDER TO CONSOLIDATE  
ACTIONS UNDER  
FED. R. CIV. P. 42(a)**

**PLUM, PBC,**

**Defendant.**

WHEREAS, pursuant to the Consolidation Order entered by this Court on May 3, 2021 in this matter (the “Consolidated Action”), “[a]ny action subsequently filed, transferred or removed to this Court that the Court determines arises out of the same or similar operative facts as the Consolidated Action will be, with the Court’s approval, consolidated with the Consolidated Action for pre-trial purposes.” (Dkt. No. 18).

WHEREAS, Plaintiff Sarah Brown filed her complaint in *Brown v. Plum, PBC* (Case No. 21-4953-YGR) on June 28, 2021 and by Order dated July 15, 2021, the Court deemed *Brown* related to the Consolidated Action (Dkt. No. 77);

WHEREAS, Plaintiff Brown’s claims arise out of the same set of operative facts and assert similar legal claims against Defendant Plum, PBC (“Plum” or “Defendant”), with respect to heavy metals and Plum’s baby food products (the “Baby Foods”);

WHEREAS, Plaintiff Brown seeks, *inter alia*, injunctive relief, as well as monetary damages;

1 WHEREAS, Plaintiffs in the Consolidated Action and Plaintiff Brown agree that  
2 consolidation of *Brown v. Plum, PBC* (Case No. 21-4953-YGR) with the Consolidated Action  
3 under Fed. R. Civ. P. 42(a) is appropriate because they involve common questions of law and fact,  
4 arise from the same events, name the same Defendant, and will involve substantially the same  
5 discovery;  
6

7 WHEREAS, Defendant consents to consolidation but preserves all defenses and arguments  
8 and all parties stipulate that the fact of stipulation will not be used as grounds against any such  
9 reserved defenses and arguments;

10 WHEREAS, consolidation under Rule 42(a) will eliminate duplicative discovery and the  
11 possibility of inconsistent rulings on class certification, Daubert motions, and other pretrial matters,  
12 and conserve judicial and party resources;

13  
14 **NOW THEREFORE**, the parties through their respective counsel and subject to the  
15 Court's approval hereby stipulate that:

16 1. The *Brown v. Plum, PBC* (Case No. 21-4953-YGR) matter is consolidated with the  
17 Consolidated Action pursuant to Fed. R. Civ. P. 42(a);

18 2. The deadlines and procedures applicable to the Consolidated Action apply in  
19 accordance with the Consolidation Order (Dkt. No. 18) and this Court's August 6, 2021 Order  
20 setting filing deadlines (Dkt. No. 81); and  
21

22 3. All further papers shall be filed in the Consolidated Action.  
23  
24  
25  
26  
27  
28

STIPULATED TO AND DATED this 10<sup>th</sup> day of August, 2021.

**LOCKRIDGE GRINDAL NAUEN  
P.L.L.P.**

By: s/ Rebecca A. Peterson  
REBECCA A. PETERSON  
ROBERT K. SHELQUIST  
100 Washington Avenue South, Suite 2200  
Minneapolis, MN 55401  
Telephone: (612) 339-6900  
Facsimile: (612) 339-0981  
E-mail: rkshelquist@locklaw.com  
rapeterson@locklaw.com

**TYCKO & ZAVAREEI LLP**

By: s/ Annick M. Persinger  
ANNICK M. PERSINGER (SBN #272996)  
1970 Broadway, Suite 1070  
Oakland, CA 94612  
T: (510) 254-6808  
F: (202) 973-0950  
Email: [apersinger@tzlegal.com](mailto:apersinger@tzlegal.com)

**Attorneys for Sarah Brown**

**LITE DEPALMA GREENBERG &  
AFANADOR, LLC**

SUSANA CRUZ HODGE (*pro hac vice*)  
JOSEPH J. DEPALMA (*pro hac vice*)  
570 Broad Street, Suite 1201  
Newark, NJ 07102  
Telephone: (973) 623-3000  
E-mail: jdepalma@litedepalma.com  
scruzhodge@litedepalma.com

**Plaintiffs' Interim Co-Lead Class Counsel**

**MAYER BROWN LLP**

By: s/ Dale J. Giali  
DALE J. GIALI (SBN 150382)  
KERI E. BORDERS (SBN 194015)  
350 South Grand Avenue, 25th Floor  
Los Angeles, California 90071-1503  
Telephone: (213) 229-9500  
Facsimile: (213) 576-8122  
dgiali@mayerbrown.com  
kborders@mayerbrown.com

**Attorneys for Defendants Plum, PBC and  
Campbell Soup Company**

Dated: August \_\_, 2021

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Yvonne Gonzalez Rogers, U.S.D.J.